

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council Of Howard County, Maryland

2008 Legislative Session

Legislative Day No. **8**

Bill No. 53 -2008

Introduced by: The Chairperson at the request of the County Executive

AN ACT adding the Howard County Revenue Authority to the list of entities that are considered a “governmental agency” under the County’s Risk Management provisions in order to authorize certain agreements; clarifying that a “governmental agency” includes its volunteers; making certain technical corrections; and generally related to risk management provisions in the Howard County Code.

Introduced and read first time _____, 2008. Ordered posted and hearing scheduled.

By order _____
Sheila M. Tolliver, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2008.

By order _____
Sheila M. Tolliver, Administrator

This Bill was read the third time on _____, 2008 and Passed ____, Passed with amendments ____, Failed ____.

By order _____
Sheila M. Tolliver, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ____ day of _____, 2008 at ____ a.m./p.m.

By order _____
Sheila M. Tolliver, Administrator

Approved/Vetoed by the County Executive _____, 2008

Ken Ulman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **Section 1. Be It Enacted** by the County Council of Howard County, Maryland, that
2 Section 23.102 “Cooperation with other governmental entities” of Subtitle 1
3 “Comprehensive Risk Management Program” of Title 23 “Risk Management” of the
4 Howard County Code is amended to read as follows:

5
6 **Title 23. Risk Management.**

7 **Subtitle 1. Comprehensive Risk Management Program.**

8
9 **Section 23.102. Cooperation with other governmental agencies.**

10 (a) *Agreements for Pooled Comprehensive Risk Management.*

11 (1) *Governmental agency.* A "governmental agency" means:

- 12 (i) A public or quasi-public agency in Howard County created by state
13 or local law, [[including]] INCLUDING, WITHOUT LIMITATION, the
14 Howard County Board of Education, Howard County Volunteer
15 Fire Corporations, the Howard County Community College; the
16 Howard County Board of Library Trustees, the Howard County
17 Housing Commission, the HOWARD COUNTY Economic
18 Development Authority, THE HOWARD COUNTY REVENUE
19 AUTHORITY, and the Howard County Mental Health Authority;
20 (ii) Any nonprofit or nonstock corporation in Howard County that is
21 exempt from taxation under section 501(c)(3) of [or] (4) of the
22 Internal Revenue Code and receives 50% or more of its annual
23 operating budget from the state government or the government of
24 Howard County.

25 A "governmental agency" includes its public officials, [[employees and
26 agents]] EMPLOYEES, AGENTS, AND VOLUNTEERS.

27 (2) *Authority to Enter Into Agreements.* The county may cooperate with and
28 enter into agreements with governmental agencies in order to provide
29 comprehensive risk management in the most economical manner.

30 (3) *Coverage.* The comprehensive risk management program shall
31 compensate for injury or death of persons or damage to property resulting

1 from the negligent or wrongful acts within the scope of their official duties
2 of public officials, [[agents]] AGENTS, VOLUNTEERS, or employees of the
3 governmental agency, shall provide protection against physical loss or
4 damage to property of the governmental agency, and shall provide for the
5 defense of claims. An agreement may provide for some or all of the
6 coverage included in the comprehensive risk management program
7 established by the county.

8 (b) *Length of Agreements: Cancellation.* Agreements for pooled comprehensive risk
9 management shall expire at the end of each fiscal year. The county or the governmental
10 agency shall give at least 6 months' notice of intent not to renew the agreement.

11
12 ***Section 2. And Be It Further Enacted by the County Council of Howard County,***
13 ***Maryland, that this Act shall become effective 61 days after its enactment.***